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INTEL CORPORATION

8  
9 UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION  
12

13 SCOTT SHEPPARD and JAY FULLER,  
individuals,  
14 Plaintiffs/Counter-Defendants,  
15  
16 v.  
17 INTEL CORPORATION, INC., a Delaware  
Corporation,  
18 Defendant/Counterclaimant.

Case No. C09 00535 (JW)

**Stipulation and [Proposed] Order of  
Dismissal of All Claims and  
Counterclaims Pursuant to Federal  
Rule of Civil Procedure 41**

19  
20 Defendant and Counterclaimant Intel Corporation ("Intel") and Plaintiffs and  
21 Counter-Defendants Scott Sheppard and Jay Fuller ("Sheppard and Fuller"), by and through their  
22 respective counsel, hereby stipulate that all claims and counterclaims filed in the above-captioned  
23 action are dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and 41(c), with all  
24 parties to bear their own costs.

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28 //

1 Intel Corporation

2 By \_\_\_\_\_/s/\_\_\_\_\_

3 James G. Kreissman

4 Simpson Thacher & Bartlett LLP

5 2550 Hanover Street

6 Palo Alto, California 94304

7 *Attorneys for Defendant/Counterclaimant*

8 Dated: October 23, 2009

9  
10 Scott Sheppard and Jay Fuller

11 By \_\_\_\_\_/s/\_\_\_\_\_

12 Joseph A. White

13 Fried & Bonder, LLC

14 Promenade II, Suite 3750

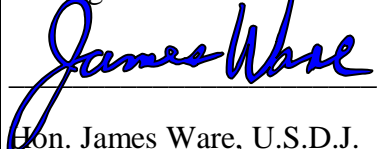
15 1230 Peachtree Street, N.E.

16 Atlanta, Georgia 30309

17 *Attorneys for Plaintiffs/Counter-defendants*

18 Dated: October 23, 2009

19  
20  
21 PURSUANT TO STIPULATION, IT IS SO ORDERED: The Court terminates any remaining deadlines,  
22 hearings and motions. The Clerk shall close this file.

23   
24 Hon. James Ware, U.S.D.J.

25 Dated: October 27, 2009